

Message Text

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SUBJ: GAO REVIEW: CHRONOLOGICAL BREAKDOWN ANTI-SUBVERSIVE
LEGISLATION

REF: STATE 221690

FOLLOWING IS CHRONOLOGICAL BREAKDOWN OF GOU ANTI-
SUBVERSIVE LEGISLATION SINCE APRIL 15, 1972 AS
REQUESTED IN REFTEL. COMMENTS ON REVISIONS TO ANSWERS TO
QUESTIONS WILL BE SENT SEPARATELY.

APRIL 15, 1972

CONGRESS SUSPENDED INDIVIDUAL RIGHTS AND GUARANTEES
FOR 30 DAYS AND DECLARED "STATE OF INTERNAL WAR" FOR
SAME PERIOD IN AREAS AFFECTED BY TERRORIST ACTIVITIES.

APRIL 22-23, 1972

GOU ISSUED "SECURITY ORDERS" UNDER STATE OF INTERNAL
WAR. THEY INCLUDED: (1) PROHIBITION ON NEWS MEDIA
FROM ALTERING MEANING OR ADDING SUBTITLES WHEN REPRO-
DUCING PARLIAMENTARY SPEECHES; (2) CAUTIONING CITIZENS
TO FOLLOW LEGAL REGULATIONS CONCERNING POSSESSION OF
ARMS AND EXPLOSIVES AND TO CARRY IDENTIFYING DOCUMENTS
AT ALL TIMES; (3) DECLARING LEADERS OF PUBLIC MEETINGS
PERSONALLY RESPONSIBLE FOR ACTS OF PARTICIPANTS AND
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DIRECTING THEM TO CONSULT SECURITY OFFICIALS IF DOUBTFUL

OF PROPRIETY OF THEIR PLANS; (4) FORBIDDING CRITICISM OF ANTI-SUBVERSIVE ACTIONS AND POLICIES OF SECURITY FORCES; AND (5) DECLARES VIOLATIONS OF THESE ORDERS TO BE MILITARY OFFENSES.

MAY 15, 1972

CONGRESS EXTENDED "STATE OF INTERNAL WAR" FOR 45 DAYS OR APPROVAL OF NEW NATIONAL SECURITY LAW--WHICHEVER OCCURS FIRST.

JUNE 30, 1972

CONGRESS APPROVED EXTENSION OF "STATE OF INTERNAL WAR" UNTIL JULY 22 AND SUSPENSION OF INDIVIDUAL GUARANTEES FOR 90 DAYS.

JULY 12, 1972

NEW NATIONAL SECURITY LAW WENT INTO EFFECT. IT REMAINS IN EFFECT.

SEPTEMBER 28, 1972

CONGRESS APPROVED EXTENSION OF SUSPENSION OF CERTAIN INDIVIDUAL GUARANTEES FOR 60 DAYS.

NOVEMBER 30, 1972

CONGRESS EXTENDED SUSPENSION OF CERTAIN CONSTITUTIONAL RIGHTS UNTIL FEBRUARY 15, 1973, "ONLY FOR THE PURPOSE OF THE FIGHT AGAINST SUSPENSION." THE MEASURE SUSPENDED ARTICLE 15 OF THE CONSTITUTION WHICH PROVIDES THAT ARRESTS CAN ONLY BE MADE IN CASE OF "FLAGRATE DELICTO" OR BY JUDICIAL ORDER. ARTICLES 16 AND 17, PROVIDING FOR HABEAS CORPUS AND REQUIRING THAT DETAINEES BE PROCESSED WITHIN 48 HOURS, WERE SUSPENDED BUT WITH LIMITATIONS. LEGISLATURE REQUIRED THAT SUSPECTS THEN IN CUSTODY BE INDICTED OR RELEASED BY FEBRUARY 15. ANYONE ARRESTED AFTER NOVEMBER 30 WAS TO APPEAR BEFORE A JUDGE WITHIN 10 DAYS OF ARREST AND EITHER INDICTED OR FREED

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BY FEBRUARY 15. LEGISLATURE ALSO SUSPENDED ARTICLE 29 IN ORDER TO PROHIBIT "DIRECT OR INDIRECT" MENTION BY MEDIA OF SUBVERSIVES, EXCEPT WHEN QUOTING GOVERNMENT COMUNIQUES.

FEBRUARY 15, 1973

PERMANENT COMMISSION OF THE CONGRESS, WHICH EXERCISED

LEGISLATIVE FUNCTIONS WHEN FULL BODY WAS NOT IN SESSION, EXTENDED UNTIL MARCH 31 SUSPENSION OF CERTAIN CONSTITUTIONAL RIGHTS. AS BEFORE, IT INVOLVED ARTICLES 15, 16, 17 AND 19 OF THE CONSTITUTION AND PERMITTED DETENTION OF TERRORIST SUSPECTS WITHOUT TRIAL AND LIMITED CENSORSHIP.

MARCH 31, 1973

CONGRESS CONTINUED SUSPENSION OF CERTAIN INDIVIDUAL GUARANTEES UNTIL MAY 31.O

MAY 31, 1973

UTILIZING HIS EXECUTIVE DECREE POWERS, THE PRESIDENT SUSPENDED INDEFINITELY CERTAIN INDIVIDUAL GUARANTEES. THE CONTENTS OF THIS DECREE CONSTITUTE WHAT ARE TERMED "EMERGENCY SECURITY MEASURES" UNDER THE CONSTITUTION. THE DECREE (A) AUTHORIZED THE CONTINUED DETENTION OF INDIVIDUALS WHOSE CONDUCT MIGHT REPRESENT A DANGER TO SECURITY AND PUBLIC ORDER, (B) AUTHORIZED THE ARREST UNDER THE "EMERGENCY SECURITY MEASURES" OF PERSONS PRESUMED TO BE INVOLVED IN SUBVERSIVE ACTIVITIES, IN ECONOMIC CRIMES AND OF GOVERNMENT EMPLOYEES WHO HARM THE NATIONAL INHERITANCE IN ANY MANNER, AND (C) PROHIBITED ALL MEDIUMS OF COMMUNICATION FROM DIRECTLY OR INDIRECTLY REFERRING TO OR COMMENTING ON SUBVERSIVES OR ANTI-SUBVERSIVE OPERATIONS, EXCEPT FOR OFFICIAL COMMUNIQUE. SIRACUSA

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